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Message Text

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PAGE 01 STATE 062912

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ORIGIN EB-11

INFO OCT-01 EUR-25 ADP-00 FMC-04 SS-15 PM-09 L-03 PA-03

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RSC-01 DODE-00 COA-02 /095 R

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R 051531 Z APR 73
FM SECSTATE WASHDC
TO AMEMBASSY MOSCOW

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E. O. 11652: N/ A
TAGS: ETRN, OTRA, UR
SUBJECT: SHIPPING: VISIT OF FMC CHAIRMAN

1. IN RESPONSE TO LONG- STANDING INVITATION FROM IGOR M. AVERIN, HEAD, FOREIGN RELATIONS DEPT, USSR, MINISTRY OF MERCHANT MARINE, MRS. HELEN DELICH BENTLEY, CHAIRMAN OF FEDERAL MARITIME COMMISSION, IS PLANNING VISIT TO MOSCOW IN LATE JUNE OR JULY. WHILE VISIT WOULD HAVE CERTAIN COURTESY VISIT ASPECT, MAIN PURPOSE WOULD BE TO DISCUSS WITH AVERIN AND OTHER SOVIET SHIPPING OFFICIALS PROBLEMS ARISING OUT OF PRESENT OR PLANNED OPERATION OF SOVIET CARGO LINER SERVICES (ESP. FESCO AND BALTIC STEAMSHIP CO.) IN US TRADES.

2. FEDERAL MARITIME COMMISSION AS INDEPENDENT REGULATORY AGENCY IS CHARGED UNDER US LAW (SHIPPING ACT, 1916) WITH
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REGULATION OF OCEAN COMMON CARRIERS IN US FOREIGN COMMERCE, AND IT IS NOT CLEAR THAT SOVIETS FULLY UNDERSTAND NATURE OR EXTENT OF FMC RESPONSIBILITY- (BEGIN FYI ONLY. USG ASSERTION OF UNILATERAL JURISDICTION OVER FOREIGN OCEAN CARRIERS SERVING OUR TRADE HAS BEEN CRITICIZED BY A NUMBER OF FOREIGN GOVERNMENTS, NOTABLY EUROPEAN MARITIME STATES, AND HAS LED TO SOME FOREIGN RELATIONS DISPUTES. HOWEVER CONGRESSIONAL MANDATE ON REGULATION IS CLEAR. DEPARTMENT AND FMC HAVE COOPERATED CLOSELY IN RECENT YEARS TO MINIMIZE POSSIBLE FOREIGN RELATIONS REPERCUSSIONS OF US REGULATORY PROCEDURES. END FYI). IT WOULD BE MRS. BENTLEY' S INTENT THEREFORE TO PLACE USG REGULATORY ROLE IN PROPER PROSPECTIVE FOR SOVIETS.

3. ONE SPECIFIC REGULATORY PROBLEM THAT HAS ARISEN IN FESCO' S CHARGING OF RATES LOWER THAN THOSE IN ITS TARIFF AS FILED WITH FMC. FMC ALREADY IN TOUCH WITH FESCO AGENTS ON THIS MATTER (COPIES OF CORRESPONDENCE PREVIOUSLY AIRPOUCHED TO EMBASSY MOSCOW). ANOTHER PROBLEM IS OVERTONNAGING (I. E. EXCESS VESSEL CARGO CAPACITY) IN NORTH ATLANTIC AND NORTH PACIFIC TRADES, SITUATION WHICH OFTEN LEADS TO UNSTABLE RATE CONDITIONS. THESE ARE TRADES WHICH SOVIET LINES ARE SERVING OR PLANNING TO SERVE.

4. BECAUSE OF FMC' S INDEPENDENT REGULATORY ROLE, ABOVE- DESCRIBED PROSPECTIVE DISCUSSIONS SHOULD NOT BE CONFUSED WITH BILATERAL GOVERNMENT SHIPPING TALKS CONDUCTED UNDER MARITIME AGREEMENT.

5. NO ACTION REQUIRED NO BUT DEPARTMENT WILL TRANSMIT FURTHER DETAILS AND GUIDANCE AS APPROPRIATE. ROGERS

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*** Current Classification *** LIMITED OFFICIAL USE

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